

## UNITED STATES DISTRICT COURT

MAR 21 2013

for the

Southern District of Texas

United States of America )  
 v. )  
 )  
 James Phil FLORES YOB 1966 US CTZ )  
 )  
 )

David J. Bradley, Clerk

Case No. *11-13-0516-M*

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 1/1/2011 in the county of Hidalgo in the  
Southern District of Texas, the defendant(s) violated:

## Code Section

## Offense Description

**21 USC 846**

Knowingly and intentionally conspire to possess with the intent to distribute more than 5 kilograms of cocaine, a schedule II controlled substance under the controlled substance act.

This criminal complaint is based on these facts:

See Attachment:

Continued on the attached sheet.

*Approved*

*Jean-Paul Reneau*

Complainant's signature

HSI Special Agent Jean-Paul Reneau

Printed name and title

Sworn to before me and signed in my presence.

Date: March 21, 2013 9:38 am

City and state: McAllen, Texas

*Peter E. Ormsby*  
Peter E. Ormsby  
 Judge's signature  
 Printed name and title  
*U.S. Magistrate Judge*

Attachment A

Beginning in early 2011 through February 2013, James Phil FLORES conspired and agreed with Fernando GUERRA Sr and others to aid and abet the possession with the intent to distribute more than five (5) kilograms of cocaine. According to sources of information, FLORES, who was a Hidalgo County Sheriff's Deputy, utilized his position as a law enforcement officer to assist GUERRA Sr and others with their narcotics activities. During this time, GUERRA Sr would make arrangements with other narcotics traffickers for GUERRA Sr to coordinate the transportation of narcotics from the Rio Grande Valley to other destinations. After GUERRA Sr made these arrangements, GUERRA Sr would contact FLORES in regards to the location of the narcotics. FLORES would then utilize other corrupt law enforcement officials to steal the cocaine from the sources of the cocaine.

On June 12, 2012, GUERRA Sr, in an effort to steal narcotics, informed FLORES and the corrupt law enforcement officials about a residence in Mercedes, Texas which GUERRA Sr believed contained cocaine. The corrupt police officers traveled to the residence and stole approximately seven (7) kilograms from the residence. The cocaine was subsequently turned over to GUERRA Sr who re-distributed the narcotics. The proceeds from the sale were divided amongst GUERRA Sr, FLORES and the others.

On August 21, 2012, GUERRA Sr arranged for the transportation of approximately four (4) kilograms of cocaine from narcotics traffickers to GUERRA Sr. Again, GUERRA Sr utilized the corrupt law enforcement officials to conduct a traffic stop of the narcotic-laden vehicle. The cocaine was stolen by the corrupt police officers and taken to GUERRA Sr who arranged the sale of the narcotics. The profit which resulted from these narcotics activities was then split between GUERRA Sr, FLORES and other corrupt officers. FLORES received a portion of the profits of the sale of the narcotics because he had made the initial introduction between GUERRA Sr and the other corrupt law enforcement officers.

Additionally, FLORES would assist GUERRA Sr by arranging for traffic stops of various vehicles. Sources of supply for narcotics who had contracted with GUERRA Sr for the transportation of narcotics, believed these vehicles contained the narcotics. During these events, the source of the narcotics would witness the traffic stop and be led to believe that the narcotics had been seized by law enforcement. GUERRA Sr would then re-distribute the stolen drugs and split the profit with FLORES and the others.